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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/628,336	07/28/2000	Kenji Kawai	35.C14677	3454

5514 7590 02/24/2003

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EXAMINER

YANG, CLARA I

ART UNIT PAPER NUMBER

2635

DATE MAILED: 02/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/628,336

Applicant(s)

KAWAI ET AL.

Examiner

Clara Yang

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Fahey et al. U.S. Patent No. 4,259,548.

Referring to Claims 1 and 7, Fahey's communication system comprises: (a) remote control unit RCU (see Fig. 1) or first device for transmitting an alarm condition or warning information when an alarm condition is detected (see Col. 9, lines 8 - 31 and 54 - 68; Col. 10, lines 1 - 3; and Col. 14, lines 12 - 30); and (b) a local sensible alarm (see Fig. 1, LED1 and audible alarm unit 27) or second device for warning the status of the first device based on the warning information (see Col. 14, lines 12 - 30). After transmitting the warning information to the local sensible alarm and determining that the alarm condition still exists, Fahey's RCU then transmits the warning information to a centralized communications center CCC (see Col. 14, lines 25 - 30 and Col. 15, lines 30 - 51).

4. Claim 1 - 3, 6, 7 - 9, and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Escolar U.S. Patent No. 5,748,078.

Referring to Claims 1 and 7, Escolar's communication system, as shown in Fig. 1, comprises: (a) monitoring system 10 and alarm alerting device (AAD) 12 that form a first device for transmitting an alarm message or warning information of a detected problem to a second device (see Col. 2, lines 40 - 45); and (b) subscriber station 16, 18, 20, or 22 for informing a service personnel of the problem after receiving the alarm message from the first device (see Col. 2, lines 45 - 50). As shown in Fig. 3, Escolar discloses that after transmitting the alarm message, the first device waits a predetermined time period (i.e., the delay time corresponding to the selected contact at step 46), determines whether the alarm has been cleared in step 42, and transmits the alarm message to the next contact person and/or number if the alarm is still present in step 44 (see Col. 3, lines 64 - 67 and Col. 4, lines 1 - 51). Here it is understood that the first contact number selected by the first device corresponds to the second device and that each subsequent contact numbers corresponds to devices other than the second device.

Regarding Claims 2 and 8, because Escolar's first device repeats steps 44 and 46 in Fig. 3 until the alarms are cleared (see Col. 4, lines 6 - 12, 26 - 32, and 45 - 51), it is understood Escolar's first device broadcasts the alarm message if all alarms are still present.

Regarding Claims 3 and 9, because Escolar imparts that a service personnel is contacted via home phone 16, office phone 18, pager 20, and/or mobile phone 22 and receives a message notifying him/her of the problem (see Col. 2, lines 48 - 50), it is understood that the alarm message is either a voice or text message.

Regarding Claims 6 and 12, as shown in Fig. 3, Escolar discloses that in step 42, the first device determines if an alarm is still present. If an alarm is still exists, the first device further transmits the alarm message to a subscriber station corresponding to the next number on list 48 in accordance with a predetermined priority sequence (see Col. 4, lines 6 - 12, 26 - 32, and 45 -

51). Because Fig. 1 illustrates that subscriber stations include pager 20 and mobile 22 and are connected to communications facility 14 or an external network (see Col. 2, lines 33 - 37), it is understood that Escolar's first device transmits the alarm message to a plurality of hand-held terminals connected to an external network.

*Claim Rejections - 35 USC § 103*

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1 - 4, 7, 10, and 13 - 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Dort et al. U.S. Patent No. 5,537,104 in view of Escolar U.S. Patent No. 5,748,078.

Referring to Claims 1 - 3 and 7, Van Dort's communication system, as shown in Fig. 1, comprises a plurality of devices including application controller 21, which reacts on inputs from infrared (IR) detector 23, and sound detector 24 (see Col. 5, lines 31 - 44). Here it is understood that application controller 21 is a first device. Van Dort discloses that when an event occurs, i.e.

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application controller 21's state/status changes, an internal signal corresponding to the change is generated (see Col. 6, lines 35 - 43). The internal signal is compared with the contents of events column 47 in event table 45 (see Fig. 2). When a match is found, messages in event table 45 that are linked with the internal signal are transmitted via common communication channel 10 (see Col. 6, lines 45 - 49). Per Van Dort, each message comprises an address of the predetermined equipment as stored in column 48 and further instructions for the addressed equipment as stored in column 49 of event table 45 (see Col. 6, lines 49 - 53). Here it is understood that the predetermined equipment is a second device and that the instructions for the second device prompt the second device to warn the status of the first device. Van Dort, however, fails to teach that the first device transmits the warning information to devices other than the second device when the first device remains in the changed state or alarm condition. Van Dort is also silent on: (1) the first device broadcasting the warning information if the status to be warned has not been released; and (2) the warning information including at least one of images, characters, and voices.

In an analogous art, as shown in Fig. 3, Escolar discloses a communications system wherein after transmitting the alarm message, the first device waits a predetermined time period (i.e., the delay time corresponding to the selected contact at step 46), determines whether the alarm has been cleared in step 42, and transmits the alarm message to the next contact person and/or number if the alarm is still present in step 44 (see Col. 3, lines 64 - 67 and Col. 4, lines 1 - 51). Here it is understood that the first contact number selected by the first device corresponds to the second device and that each subsequent contact numbers corresponds to devices other than the second device. Because Escolar's first device repeats steps 44 and 46 in Fig. 3 until the alarms are cleared (see Col. 4, lines 6 - 12, 26 - 32, and 45 - 51), it is understood

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Escolar's first device broadcasts the alarm message if all alarms are still present. Furthermore, since Escolar imparts that a service personnel is contacted via home phone 16, office phone 18, pager 20, and/or mobile phone 22 and receives a message notifying him/her of the problem (see Col. 2, lines 48 - 50), it is understood that the alarm message is either a voice or text message.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the electronic device of Van Dort as taught by Escolar because Escolar's electronic device increases the probability that a person will be notified of the alarm.

Regarding Claims 4 and 10, as illustrated in Fig. 1, a common communication channel 10 links Van Dort's first and second devices. Van Dort discloses that common communication channel 10 can be an electrical bus, such as a D2B-bus. However, the Examiner takes Official Notice that the use of IEEE 1394 buses is well known. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the electrical bus of Van Dort's equipment control system such that it is an IEEE 1394 bus since the Examiner takes Official Notice that IEEE 1394 buses are commonly used and provide guaranteed data transport at a predetermined rate whereas D2B-buses are unable to prevent loss of synchronization between different components required to be presented to a user simultaneously.

Regarding Claims 13 - 15 and 18 - 20, Van Dort's application controller 21 or electronic device comprises: (a) IR detector 23 and sound detector 24 for detecting a status to be warned (see Col. 5, lines 41 - 44); (b) transmitting means for transmitting warning information indicating that an event or status change has been detected to a predetermined device connected to common communication channel 10 or bus (see Col. 5, lines 55 - 58); and (c) means

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for determining a status change (see Col. 5, lines 41 - 44 and Col. 6, lines 35 - 43). Because Van Dort's application controller 21 reacts on a combination of different inputs, is able to compare the generated internal signal reflecting the event with contents in event table 45, and transmit a message to a predetermined second device indicated in event 45 (see Col. 5, lines 40 - 44 and 55 - 48; and Col. 6, lines 43 - 53), it is understood that application controller 21 has a controlling means. It is also understood that status changes include alarm events and alarm resets. Because Van Dort further teaches that a plurality of messages can be linked to an event 46 and that such messages, each with its corresponding address, are sent to the designated equipment units (see Col. 6, lines 43 - 53), it is understood that application controller 21 is able to broadcast a warning information to the equipment units via common communication channel 10. Van Dort, however, fails to teach that: (1) the electronic device transmits the warning information to a device other than the second device when the first device remains in the changed state or alarm condition; (2) if the status to be warned has not been released, the electronic device broadcasts the warning information to the digital network; and (3) the warning information includes at least one of an image, a character, and voice.

As shown in Fig. 3, Escolar discloses a communications system wherein after transmitting the alarm message, the first device waits a predetermined time period (i.e., the delay time corresponding to the selected contact at step 46), determines whether the alarm has been cleared in step 42, and transmits the alarm message to the next contact person and/or number if the alarm is still present in step 44 (see Col. 3, lines 64 - 67 and Col. 4, lines 1 - 51). Here it is understood that the first contact number selected by the first device corresponds to the second device and that each subsequent contact numbers corresponds to devices other than the second device. Because Escolar's first device repeats steps 44 and 46 in Fig. 3 until the



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alarms are cleared (see Col. 4, lines 6 - 12, 26 - 32, and 45 - 51), it is understood Escolar's first device broadcasts the alarm message if all alarms are still present. In addition, because Escolar imparts that a service personnel is contacted via home phone 16, office phone 18, pager 20, and/or mobile phone 22 and receives a message notifying him/her of the problem (see Col. 2, lines 48 - 50), it is understood that the alarm message is either a voice or text message.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the electronic device of Van Dort as taught by Escolar because Escolar's electronic device increases the probability that a person will be notified of the alarm.

Regarding Claims 16 and 21, as illustrated in Fig. 1, a common communication channel 10 links Van Dort's first and second devices. Because Van Dort discloses that common communication channel 10 can be an electrical bus, it is understood that bus 10 conforms to the IEEE 1394 standard.

Regarding Claims 17 and 22, Van Dort is silent on the electronic device further transmitting the warning information to a plurality of hand-held terminals connected to an external network in accordance with a predetermined priority sequence when the alarm condition persists.

As shown in Fig. 3, Escolar discloses that in step 42, the first device determines if an alarm is still present. If an alarm is still exists, the first device further transmits the alarm message to a subscriber station corresponding to the next number on list 48 in accordance with a predetermined priority sequence (see Col. 4, lines 6 - 12, 26 - 32, and 45 - 51). Because Fig. 1 illustrates that subscriber stations include pager 20 and mobile 22 and are connected to communications facility 14 or an external network (see Col. 2, lines 33 - 37), it is understood that

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Escolar's first device transmits the alarm message to a plurality of hand-held terminals connected to an external network.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the electronic device of Van Dort as taught by Escolar because Escolar's electronic device increases the probability that a person will be notified of the alarm.

8. Claims 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Dort et al. U.S. Patent No. 5,537,104 and Escolar U.S. Patent No. 5,748,078 as applied to Claims 1 and 7 above, and further in view of Nakata et al. U.S. Patent No. 6,307,842.

Regarding Claims 5 and 11, Van Dort's communication system, as modified by Escolar, lacks a second device that has an on mode and a sleep mode and changes from the sleep mode to the on mode when warning information is received.

In an analogous art, Nakata's tuner 2A, as shown in Fig. 1, is connected to a bus specified by IEEE 1394 via network interface 11A (see Col. 4, lines 31 - 49). Nakata imparts that tuner 2A is brought to an idling state after being connected to the bus (see Col. 4, lines 52 - 54). When network interface 11A receives a control command or message for tuner 2A, control portion 8 responds by turning on a power supply for tuner 2A (see Col. 5, lines 20 - 25). Here it is understood that the idling state is a sleep mode because control portion 8 turns on tuner 2A's power supply upon receiving a control command or message.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the communication system of Van Dort and Escolar as taught by Nakata because having a second device remain in sleep mode until a control command or alarm message is received reduces power consumption.

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*Conclusion*

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- ♦ Becker U.S. Patent No. 5,297,252: Becker teaches an alarm system wherein the warning information includes images and characters.
- ♦ Obtani et al. U.S. Patent No. 5,670,938: Obtani discloses a fire alarm device wherein a pre-alarm is first sounded in a guardroom. When the fire-judging portion determines that the fire has enlarged, all alarm devices in the building are activated and a message for escape is broadcasted.
- ♦ Sandelman et al. U.S. Patent No. 6,147,601: Sandelman imparts an electronic message delivery system that transmits warning information via e-mail, fax machines, pagers, and voice communication means.

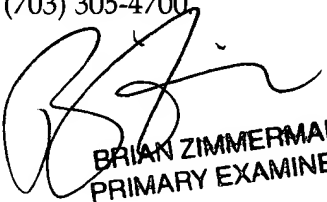
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clara Yang whose telephone number is (703) 305-4086. The examiner can normally be reached on 8:30 AM - 7:00 PM, Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on (703) 305-4704. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

CY  
February 19, 2003

  
BRIAN ZIMMERMAN  
PRIMARY EXAMINER